

in cases punishable by death or life imprisonment, and only on strong prima facie evidence of guilt. Confession under torture was to have no weight unless confirmed after an interval. These restrictions were not observed in practice.¹ There are very many cases on record in which it was afterwards proved that many persons had suffered torture and cruel execution, upon confession, who were innocent of all crime.²

263. The selection accomplished. Thus the apparatus and devices for putting down dissent and enforcing submission to such authority as the great number were willing to recognize had attained a superficial success. Opposition was silenced.

Dissent was made so dangerous that no one dared express it, except here and there a hero, and outward conformity to church discipline was almost universal. The mores also underwent influence from a societal power which was great and pervading.

The external and artificial character of the conformity was so well known that a name was given to it, — *implicita fides* — and this was discussed as to its nature and value. The mores are gravely affected by *implicita fides* when it is held by a great number of persons.³ The selection which had destroyed honest thinkers and sincere churchmen had cultivated a class of smooth hypocrites and submissive cowards. In the fifteenth century the whole of Christendom had accepted the church system with its concepts of welfare and its dictates of duty, and had adopted the ritual means of holiness and salvation which it prescribed.

In fact, at no other time were men ever so busy as then with "good works," or so fussy about church ritual. Everybody was anxious not to be a heretic. At the same time the whole mediæval system was falling to pieces, and the inventions and discoveries were disproving all received and approved

ideas about
the world and welfare in it. Gross sensuality and
carnal lust got
possession of society, and the church system was an
independent
system of balancing accounts with the other world.
The theater
declined into obscenity and coarseness, and the
popular pulpit
was hardly better.⁴ The learned world was
returning to classical

¹ Scherr, *Kulturgesch. Deutschlands* 624 ; Janssen, *Gesch. d. Deutschen Volkes*, VIII, 467. 2 Janssen, VIII, 467.

³ Harnack, *Dogmengesch.*, III, 453.

⁴ Lenient, *La Satire en France*, 309, 315.